

Form PTO 1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER P32085
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/743,209
INTERNATIONAL APPLICATION NO. PCT/GB99/02301	INTERNATIONAL FILING DATE 15 July 1999	PRIORITY DATE CLAIMED 17 July 1998
TITLE OF INVENTION PROCESS FOR PREPARING CLAVAM DERIVATIVES BY USING POLYPEPTIDES HAVING BETA-LACTAM SYNTHETASE ACTIVITY		
APPLICANT(S) FOR DO/EO/US Barry BARTON, Heather Jane MCNAUGHTON, Christopher Joseph SCHOFIELD, Jan Edward THIRKETTLE		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

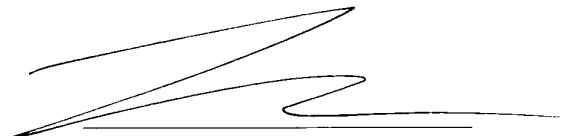
1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
 4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
 7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13. ☐ A FIRST preliminary amendment.
 14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
 15. ☐ Please amend the specification by inserting before the first line the sentence: This is a 371 of International Application PCT/EP96/05045, filed November 15, 1996.
 16. ☐ A substitute specification.
 17. ☐ A change of power of attorney and/or address letter.
 18. ☐ An Abstract on a separate sheet of paper.
 19. ☒ Other items or information: Communication

US APPLICATION NO. (if known see 37 CFR 1.50) 09/743,209		INTERNATIONAL APPLICATION NO. PCT/GB99/02301		ATTORNEYS DOCKET NO. P32085	
20. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> one month extension.....		\$ 110			
<input type="checkbox"/> two months extension.....		\$ 400			
<input type="checkbox"/> three months extension.....		\$ 920			
<input type="checkbox"/> four months extension (not beyond statutory time period).....		\$1,440			
<input type="checkbox"/> fifth month extension.....		\$1,960			
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	0	0 x \$18.00	\$0.00	
Independent claims	- 3 =	0	0 x \$84.00	\$0.00	
Multiple dependent claims (if applicable)			+ \$280.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$0.00	
Processing fee of \$130.00 for furnishing the English translation later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$0.00	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$0.00** to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application. (37 CFR 1.136 (a)(3)).

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
GLAXOSMITHKLINE
 Corporate Intellectual Property - UW2220
 P.O. Box 1539
 King of Prussia, PA 19406-0939
 Phone (610) 270-5024
 Facsimile (610) 270-5090


 SIGNATURE
 Zoltan Kerekes
 NAME
 38,938
 REGISTRATION NO.

PATENT
ATTORNEY'S DOCKET NUMBER P32085

TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE
(DO/EO/US) – CONCERNING A FILING UNDER 35 U.S.C 371

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/GB99/02301	15 July 1999	17 July 1998

TITLE OF INVENTION
PROCESS FOR PREPARING CLAVAM DERIVATIVES BY USING POLYPEPTIDES
HAVING BETA-LACTAM SYNTHETASE ACTIVITY

APPLICANT(S) FOR DO/US

Barry BARTON, Heather Jane MCNAUGHTON, Christopher Joseph SCHOFIELD, Jan
Edward THIRKETTLE

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

15 OCT 2001

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date October 5, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL737848947US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Elisa Matos
(Typed or printed name of person mailing paper)

Elisa Matos
(Signature of person mailing paper)



20462

#8

"EXPRESS MAIL CERTIFICATE"
"EXPRESS MAIL" MAILING LABEL NUMBER EL737848947US
DATE OF DEPOSIT: OCTOBER 5, 2001

Attorney Docket No. P32085

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barton, et al. October 5, 2001
 Serial No.: 09/743,209 Group Art Unit No.: Unknown
 Filed: January 8, 2001 Examiner: Not Yet Assigned
 For: **PROCESS FOR PREPARING CLAVAM DERIVATIVES BY USING
 POLYPEPTIDES HAVING BETA-LACTAM SYNTHETASE ACTIVITY**

Assistant Commissioner of Patents
 Washington, D.C. 20231

COMMUNICATION

Applicants received a Notification of a Defective Response in the above-referenced Application, which was mailed by the U.S.P.T.O. on July 17, 2001. The Notification stated that the Oath and Declaration, as well as the Surcharge for submitting the Oath and Declaration, had not been received.

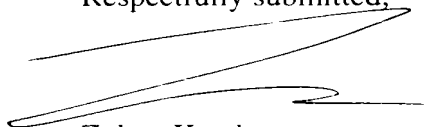
On August 14, 2001, Applicants submitted a Second Submission to the U.S.P.T.O., which included the following: A Recordation Cover Sheet for the Assignment, an Assignment, Declaration, a Petition for Filing by Other than All the Inventors, a Statement of Facts in Support of Filing on Behalf of Non-Signing Inventors, Letters sent by Dawn Ferrier and Fiona Reardon requesting signatures from the Inventors, and a mailroom receipt as proof of delivery of documents to the non-signing Inventors.

A few weeks after the above-referenced documentation was submitted to the U.S.P.T.O., Applicants were finally able to reach the non-signing Inventors and obtained fully executed originals of the Declaration and Assignments. Submitted herewith is the new Declaration, as well as the new Assignment and Recordation Cover Sheet for the Assignment.

Serial No.: 09/743,209
Group Art Unit No.: Unknown

The Examiner is hereby authorized to charge any and all fees which may be required, or credit any overpayment to Deposit Account No. 19-2570.

Respectfully submitted,



Zoltan Kerekes
Attorney for Applicants
Registration No. 38,938

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5024
Facsimile (610) 270-5090
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